

STATE OF SOUTH DAKOTA  
: SS  
COUNTY OF MINNEHAHA

IN CIRCUIT COURT  
SECOND JUDICIAL CIRCUIT  
MAGISTRATE DIVISION

STATE OF SOUTH DAKOTA,  
Plaintiff  
vs.  
JESSICA ROSE PFAU,  
Defendant.

SFPD 2019-006896

**COMPLAINT**

*CRI 19-2855*

- COUNT 1: POSSESSION CONTROLLED DRUG OR SUBSTANCE - SCHED I - CLASS  
5 FEL as to JRP  
COUNT 2: POSSESSION/USE DRUG PARAPHERNALIA - CLASS 2 MISD as to JRP

The undersigned being first duly sworn on oath complains and charges:

**COUNT 1**

That the Defendant, JESSICA ROSE PFAU, in Minnehaha County, State of South Dakota, on or about the 18th day of April, 2019, did commit the public offense of Unauthorized Possession of Controlled Drug or Substance (SDCL 22-42-5) in that the Defendant did knowingly possess a controlled drug or substance HEROIN which is listed in Schedule I., contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of South Dakota.

**COUNT 2**

That the Defendant, JESSICA ROSE PFAU, in Minnehaha County, State of South Dakota, on or about the 18th day of April, 2019, did commit the public offense of Use or Possession of Drug Paraphernalia (SDCL 22-42A-3) in that the defendant did, knowing the drug related nature of the object, use or possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body any controlled substance or marijuana, SPOON, SYRINGE, AND FOIL, contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of South Dakota.

*[Signature]*  
(Deputy) States Attorney  
Minnehaha County, South Dakota

Subscribed and sworn to before me this 22nd day of April, 2019.

*[Signature]*  
My commission expires: 03/28/2023

Initial Appearance Date: 4/23/2019

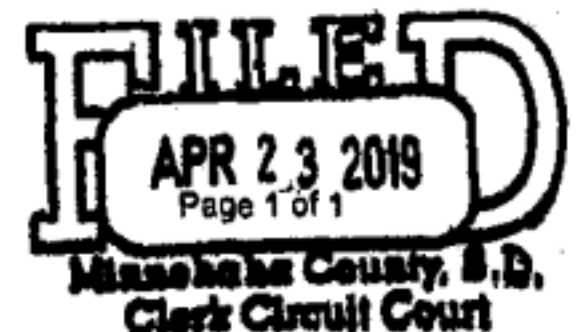
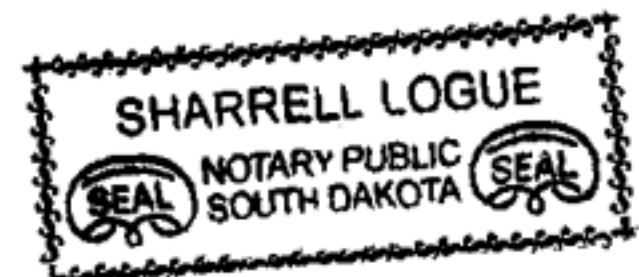
DOB:

██████████ (JRP)

Address:

██████████ 10TH STREET ██████████, SIOUX FALLS, SD 57104 (JRP)

Arresting Officer: BAKER



STATE OF SOUTH DAKOTA  
: SS  
COUNTY OF MINNEHAHA

IN CIRCUIT COURT  
SECOND JUDICIAL CIRCUIT  
MAGISTRATE DIVISION

STATE OF SOUTH DAKOTA,  
Plaintiff  
vs.  
JESSICA ROSE PFAU  
Defendant(s).

SFPD 2019-006896

**INDICTMENT**

CR119-2855

- COUNT 1: POSSESSION CONTROLLED DRUG OR SUBSTANCE - SCHED I - CLASS  
5 FEL as to JRP  
COUNT 2: POSSESSION/USE DRUG PARAPHERNALIA - CLASS 2 MISD as to JRP

THE MINNEHAHA COUNTY GRAND JURY CHARGES:

**COUNT 1**

That the Defendant, JESSICA ROSE PFAU, in Minnehaha County, State of South Dakota, on or about the 18th day of April, 2019, did commit the public offense of Unauthorized Possession of Controlled Drug or Substance (SDCL 22-42-5) in that the Defendant did knowingly possess a controlled drug or substance HEROIN which is listed in Schedule I,, contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of South Dakota.

**COUNT 2**

That the Defendant, JESSICA ROSE PFAU, in Minnehaha County, State of South Dakota, on or about the 18th day of April, 2019, did commit the public offense of Use or Possession of Drug Paraphernalia (SDCL 22-42A-3) in that the defendant did, knowing the drug related nature of the object, use or possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body any controlled substance or marijuana, SPOON, SYRINGE AND FOIL, contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of South Dakota.

Dated this 16 day of May, 2019

A True Bill  
"A TRUE BILL"

This indictment has the concurrence of at least six members of the Minnehaha County Grand Jury.

Colin Stott  
Foreperson  
Minnehaha County Grand Jury

Witnesses who testified before the Grand Jury in the matter:

OFFICER BAKER

JESSICA ROSE PFAU [REDACTED] W 10TH STREET [REDACTED] SIOUX FALLS, SD 57104

STATE OF SOUTH DAKOTA  
: SS  
COUNTY OF MINNEHAHA

IN CIRCUIT COURT  
SECOND JUDICIAL CIRCUIT  
MAGISTRATE DIVISION

STATE OF SOUTH DAKOTA,  
Plaintiff  
vs.  
JESSICA ROSE PFAU,  
Defendant.

SFPD 19-004771

**COMPLAINT**

Cr: 19-1961

- COUNT 1: POSSESSION CONTROLLED DRUG OR SUBSTANCE - SCHED I - CLASS 5 FEL  
COUNT 2: UNAUTH. INGESTION OF CONTROLLED DRUG - SCHED I - CLASS 5 FEL  
COUNT 3: DWI - 6TH OR SUBSEQUENT OFFENSE - CLASS 4 FELONY  
COUNT 4: DWI - 6TH OR SUBSEQUENT OFFENSE (INGESTING) - CLASS 4 FELONY  
COUNT 5: POSSESSION/USE DRUG PARAPHERNALIA - CLASS 2 MISD

The undersigned being first duly sworn on oath complains and charges:

**COUNT 1**

That the Defendant, JESSICA ROSE PFAU, in Minnehaha County, State of South Dakota, on or about the 18th day of March, 2019, did commit the public offense of Unauthorized Possession of Controlled Drug or Substance (SDCL 22-42-5) in that the Defendant did knowingly possess a controlled drug or substance HEROIN which is listed in Schedule I., contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of South Dakota.

**COUNT 2**

That the Defendant, JESSICA ROSE PFAU, in Minnehaha County, State of South Dakota, on or about the 18th day of March, 2019, did commit the public offense of Unauthorized Ingestion of Controlled Drug or Substance (SDCL 22-42-5.1) in that the Defendant did knowingly ingest a controlled drug or substance or have a controlled drug or substance in an altered state in the body HEROIN which is listed in Schedule I., contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of South Dakota.

**COUNT 3**

That the Defendant, JESSICA ROSE PFAU, in Minnehaha County, State of South Dakota, on or about the 18th day of March, 2019, did commit the public offense of Driving Under the Influence (SDCL 32-23-1(2)) in that the Defendant did drive or was in actual physical control of any vehicle while under the influence of an alcoholic beverage, marijuana, or any controlled drug or substance not obtained pursuant to a valid prescription, or any combination of an alcoholic beverage, marijuana, or such controlled drug or substance, contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of South Dakota.


**COUNT 4**

That the Defendant, JESSICA ROSE PFAU, in Minnehaha County, State of South Dakota, on or about the 18th day of March, 2019, did commit the public offense of Driving Under the Influence (SDCL 32-23-1(5)) in that the Defendant did drive or was in actual physical control of any vehicle while under

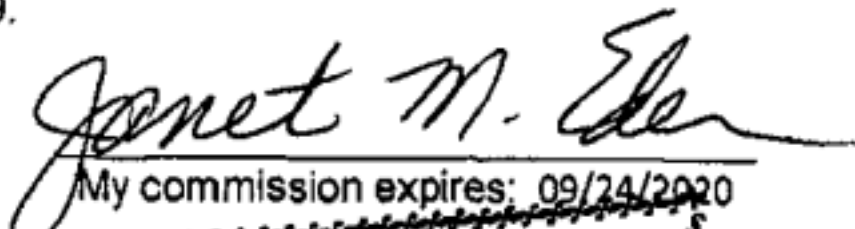
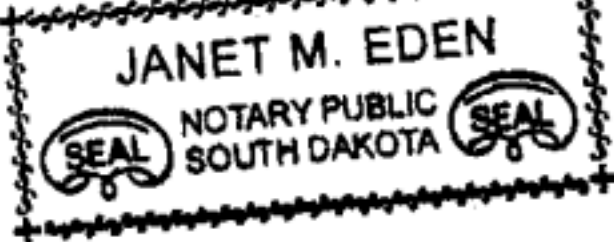
the influence of any substance ingested, inhaled, or otherwise taken into the body as prohibited by § 22-42-15, contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of South Dakota.

COUNT 5

That the Defendant, JESSICA ROSE PFAU, in Minnehaha County, State of South Dakota, on or about the 18th day of March, 2019, did commit the public offense of Use or Possession of Drug Paraphernalia (SDCL 22-42A-3) in that the defendant did, knowing the drug related nature of the object, use or possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body any controlled substance or marijuana, SYRINGES, contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of South Dakota.

  
(Deputy) States Attorney  
Minnehaha County, South Dakota

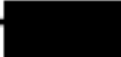
Subscribed and sworn to before me this 19th day of March, 2019.

  
My commission expires: 09/24/2020  


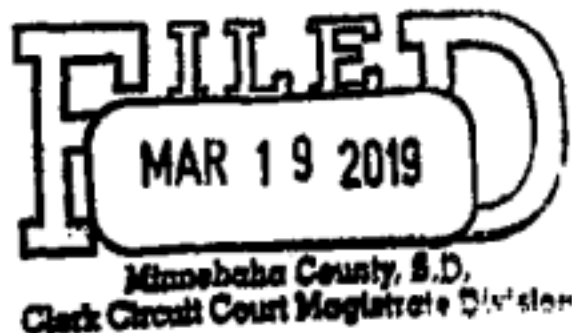
Initial Appearance Date: 3/19/2019

DOB: 

Address: 

W 10TH STREET  SIOUX FALLS, SD 57104

Arresting Officer: MARQUEZ



STATE OF SOUTH DAKOTA  
: SS  
COUNTY OF MINNEHAHA

IN CIRCUIT COURT  
SECOND JUDICIAL CIRCUIT  
MAGISTRATE DIVISION

STATE OF SOUTH DAKOTA, Plaintiff vs. JESSICA ROSE PFAU Defendant(s).	19-004771  <b>INDICTMENT</b>  <i>cr: 19-1961</i>
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- COUNT 1: POSSESSION CONTROLLED DRUG OR SUBSTANCE - SCHED I - CLASS 5 FEL as to JRP  
COUNT 2: UNAUTH. INGESTION OF CONTROLLED DRUG - SCHED I - CLASS 5 FEL as to JRP  
COUNT 3: DWI - 6TH OR SUBSEQUENT OFFENSE - CLASS 4 FELONY as to JRP  
COUNT 4: DWI - 6TH OR SUBSEQUENT OFFENSE (INGESTING) - CLASS 4 FELONY as to JRP  
COUNT 5: POSSESSION/USE DRUG PARAPHERNALIA - CLASS 2 MISD as to JRP

THE MINNEHAHA COUNTY GRAND JURY CHARGES:

COUNT 1

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COUNT 2

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COUNT 4

That the Defendant, JESSICA ROSE PFAU, in Minnehaha County, State of South Dakota, on or about the 18th day of March, 2019, did commit the public offense of Driving Under the Influence (SDCL 32-23-1(5)) in that the Defendant did drive or was in actual physical control of any vehicle while under the influence of any substance ingested, inhaled, or otherwise taken into the body as prohibited by § 22-42-15, contrary to the form of the statute in such case made and provided and against the peace

and dignity of the State of South Dakota.

COUNT 5

That the Defendant, JESSICA ROSE PFAU, in Minnehaha County, State of South Dakota, on or about the 18th day of March, 2019, did commit the public offense of Use or Possession of Drug Paraphernalia (SDCL 22-42A-3) in that the defendant did, knowing the drug related nature of the object, use or possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body any controlled substance or marijuana, SYRINGES, contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of South Dakota.

Dated this 24th day of April, 2019

A True Bill  
"A TRUE BILL"

This indictment has the concurrence of at least six members of the Minnehaha County Grand Jury.

[Signature]  
Foreperson  
Minnehaha County Grand Jury

Witnesses who testified before the Grand Jury in the matter:

OFFICER MARQUEZ

JESSICA ROSE PFAU [REDACTED] W 10TH STREET [REDACTED] SIOUX FALLS, SD 57104

DEMAND FOR NOTICE OF ALIBI

The undersigned (Deputy) State's Attorney states that the charged offense is alleged to have occurred on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at or about \_\_\_\_\_ o'clock \_\_.M., at \_\_\_\_\_ Pursuant to SDCL 23A-9-1, demand is hereby made upon defendant and defendant's counsel to give notice of intent to offer a defense of alibi.

\_\_\_\_\_  
(Deputy) States Attorney  
Minnehaha County, South Dakota



1CC-2C-5A0  
11/13/2019  
SCLC to 2019  
1C- deft

STATE OF SOUTH DAKOTA )  
 : SS  
COUNTY OF MINNEHAHA )

IN CIRCUIT COURT  
SECOND JUDICIAL CIRCUIT

STATE OF SOUTH DAKOTA,  
Plaintiff,

+

SFPD 2019004771

49CRI19001961

vs.

+

JUDGMENT & SENTENCE

JESSICA ROSE PFAU,  
Defendant.

+

An Indictment was returned by the Minnehaha County Grand Jury on April 24, 2019, charging the defendant with the crimes of Count 1 Possession of Controlled Substance on or about March 18, 2019, Count 2 Unauthorized Ingestion of Controlled Substance on or about March 18, 2019, Count 3 DWI-Under the Influence on or about March 18, 2019, Count 4 DWI-Ingesting on or about March 18, 2019, Count 5 Possession of Drug Paraphernalia on or about March 18, 2019 and a Part II DWI Sixth or Subsequent Offense Information was filed. The defendant was arraigned upon the Indictment and Information on May 9, 2019, Katie Dunn appeared as counsel for Defendant; and, at the arraignment the defendant entered her plea of not guilty of the charges in the Indictment. Defendant with counsel, Katie Dunn, returned to Court on September 12, 2019, the State appeared by Gail Eiesland, Deputy State's Attorney. The defendant thereafter changed her plea to guilty to Count 4 DWI-Ingesting (SDCL 32-23-1(5)) and admitted to the Part II DWI Sixth or Subsequent Offense Information (SDCL 32-23-4.9) with sentencing continued to November 4, 2019.

Thereupon on November 4, 2019, the defendant was asked by the Court whether she had any legal cause why Judgment should not be pronounced against her. There being no cause, the Court pronounced the following Judgment and

S E N T E N C E

AS TO COUNT 4 DWI SIXTH OR SUBSEQUENT OFFENSE : JESSICA ROSE PFAU shall be imprisoned in the South Dakota State Women's Prison, located in Pierre, County of Hughes, State of South Dakota for five (5) years with three (3) years suspended, credit 9 days served (concurrent with 49CRI15-6554). The defendant shall pay \$100.00 testing fees and \$50.00 DUI surcharge to be collected by the Board of Pardons and Paroles. It is ordered that the defendant's driving privileges are to be revoked immediately and for 3 years upon release from custody. The defendant shall turn herself in to serve her sentence on November 18, 2019 by 5:00 p.m.

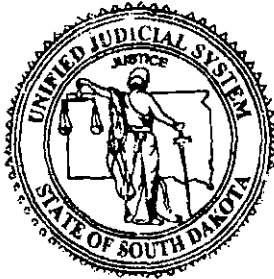
It is ordered that the defendant shall provide a DNA sample upon intake into the South Dakota State Women's Prison or the Minnehaha County Jail, pursuant to SDCL 23 - 5A - 5, provided the defendant has not previously done so at the time of arrest and booking for this matter.



It is ordered that Count 1, 2, 3, 5 charging JESSICA ROSE PFAU with Possession of Controlled Substance, Unauthorized Ingestion of Controlled Substance, DWI Under the Influence, Possessio of Paraphernalia be and hereby are dismissed.

The defendant was remanded into custody for transport to the South Dakota State Women's Prison, there to be kept, fed and clothed according to the rules and discipline governing the South Dakota State Women's Prison.

Dated at Sioux Falls, Minnehaha County, South Dakota, this 7 day of November, 2019.



ATTEST:  
ANGELIA M. GRIES, Clerk

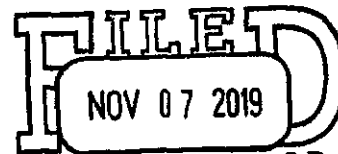
By: 

Deputy

BY THE COURT:



JUDGE SUSAN M. SABERS  
Circuit Court Judge



Minnehaha County, S.D.  
Clerk Circuit Court